

**REMARKS**

Claims 1-2, 4-13, 15-17 and 19-24 are pending in this application. By this Amendment, claims 1, 8, 10, 16 and 23-24 are amended and claims 3, 14 and 18 are canceled without prejudice or disclaimer. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance for the reasons set forth below; (2) do not raise any new issues requiring further search and/or consideration; and/or (3) place the application in better form for appeal, should an appeal be necessary. More specifically, independent claim 1 is amended to include features of previous dependent claim 3, independent claim 10 is amended to include features of previous dependent claim 14 and independent claim 16 is amended to include features of previous dependent claim 18. The other claim amendments are merely for clarity. Thus, no new issues are raised by these amendments. Entry is therefore proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1-6, 8-12, 15-19 and 21-22 under 35 U.S.C. §102(b) by U.S. Publication 2002/0168976 to Krishnan. The Office Action also rejects claims 7, 13-14, 20 and 23-24 under 35 U.S.C. §103(a) over Krishnan. The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites receiving system information from a network, obtaining a frequency of each service vendor from the received system information, each of the obtained frequencies corresponding to a frequency band of use for respective service vendors.

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Independent claim 1 also recites performing a cell search about the obtained frequency of one service vendor based on the obtained frequency of the one service vendor.

Krishnan does not teach or suggest at least these features of independent claim 1. That is, the Office Action states that the location of device 100 may match multiple indices, with multiple channels 220 correspondent to those, and that the channels are searched until a preferred system connection is made. The Office Action cites Krishnan's paragraph [0028], lines 19-25; paragraph [0016] and Krishnan's claims 9 and 27. Additionally, when discussing dependent claim 3, the Office Action states that the channels are searched until a preferred system connection is made.

Applicant respectfully submits that the cited sections do not correspond to the claimed performing a cell search about the obtained frequency of one service vendor based on the obtained frequency of the one service vendor. Rather, the cited sections clearly state that the communication device is immediately tuned to a correct channel 220. See paragraph [0028], lines 1-6. Additionally, certain locations may have multiple SIDs that are preferred in a certain order, such as a first provider, a second provider and a third provider. Still further, paragraph [0028], lines 19-25 states that the indices S20, S21 and S30 may be tuned into (in a sequence corresponding to the order of preference of the networks) until a preferred system connection is made. This does not suggest performing a cell search about the obtained frequency of one service vendor based on the obtained frequency of the one service vendor. Rather, this merely states that a specific indice may be tuned into (based on a specific order). At best, Krishnan

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merely discloses that specific channels are searched based on a specific order. There is no suggestion for performing a cell search about an obtained frequency.

For at least the reasons set forth above, Krishnan does not teach or suggest all the features of independent claim 1. Accordingly, independent claim 1 defines patentable subject matter.

Independent claim 10 recites receiving frequency data of a plurality of service vendors from a Radio Resource Control of a UMTS Terrestrial Radio Access Network, and the received frequency data relating to frequency bands of use for each of the service vendors. Independent claim 10 also recites storing the received frequency data in user equipment, performing a cell search about a stored frequency of at least one service vendor in a frequency search. Still further, independent claim 10 also recites performing another cell search by frequency bands when a frequency is not found in the stored frequencies for the at least one service vendor.

Krishnan does not teach or suggest at least these features of independent claim 10. More specifically, for at least similar reasons as set forth above, Krishnan does not teach or suggest performing a cell search about a stored frequency of at least one service vendor in a frequency search, as recited in independent claim 10.

Furthermore, Krishnan does not teach or suggest performing another cell search by frequency bands when a frequency is not found in the stored frequencies for the at least one service vendor, as recited in independent claim 10. The Office Action (on page 5) states that the channels are searched until a preferred connection is made. The Office Action cites Krishnan's paragraph [0028], lines 19-25. However, this cited section clearly states that the indices such as

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S20, S21 and S30 are tuned into based on a sequence corresponding to an order of preference until a preferred system connection is made. This does not suggest performing another cell search by frequency bands when a frequency is not found in the stored frequencies for the at least one service vendor. Accordingly, independent claim 10 defines patentable subject matter at least for this reason.

Furthermore, independent claim 10 recites receiving frequency data of a plurality of service vendors from a Radio Resource Control of a UMTS Terrestrial Radio Access Network. Similar features were recited in previous dependent claim 14. When addressing dependent claim 14, the Office Action (on page 9) states that Krishnan fails to particular disclose a Radio Resource Control of a UMTS Terrestrial Radio Access Network. The Office Action merely states that UMTS is a particular requirement of a particular system and therefore an obvious expedient of engineering design. However, applicant respectfully disagrees as Krishnan's disclosure clearly relates to an IS-95 CDMA type of system. Krishnan has no teaching or suggestion for a UMTS Terrestrial Radio Access Network. Furthermore, when utilizing features of independent claim 10, a UMTS Terrestrial Radio Access Network allows a user to register more quickly. See paragraph [0042] of the present specification. These features are not recognized in a CDMA system. Further, the components of Krishnan may not be simply altered into a RRC of a UMTS Terrestrial Radio Access Network . The Office Action also does not provide a specific reference teaching these features relating to a RRC of a UMTS Terrestrial Radio Access Network. The Office Action therefore fails to make a *prima facie* case of

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obviousness. Accordingly, independent claim 10 defines patentable subject matter at least for this additional reason.

Independent claim 16 recites a processing device to obtain a frequency of a particular service vendor from the memory, wherein the processing device performs a cell search about the obtained frequency when searching the frequency information stored in the memory, the cell search being based on the received system information, the processing device further performing another cell search about other frequencies when a frequency is not found during the cell search about the stored frequency information for a particular service vendor. For at least similar reasons as set forth above, Krishnan does not teach or suggest at least these features of independent claim 16.

For at least the reasons set forth above, each of independent claims 1, 10 and 16 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, each of the dependent claims recites features that further and independently distinguish over the applied references.

For example, dependent claim 8 recites performing a cell search by frequency bands when a requested frequency is not found when performing the cell search about the obtained frequency of the one service vendor. For at least similar reasons as set forth above, Krishnan does not teach or suggest these features. Thus, dependent claim 8 defines patentable subject matter at least for this additional reason.

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Dependent claim 23 (and similarly dependent claim 24) recites receiving the system information from the network includes receiving the system information from a Radio Resource Control of a UMTS Terrestrial Radio Access Network. For at least similar reasons as set forth above, Krishnan does not teach or suggest these features. Thus, dependent claims 23 and 24 define patentable subject matter at least for this additional reason.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-2, 4-13, 15-17 and 19-24 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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